

SHERIFF'S DEPARTMENT RESPONSE

SANTA BARBARA COUNTY 2001-2002 GRAND JURY CRIMINAL JUSTICE DETENTION FACILITIES REPORT

FINDINGS AND RECOMMENDATIONS

Finding 1:

Visitors are not routinely screened for weapons.

Response to Finding 1:

The Sheriff's Department disagrees with the finding. The Main Jail currently uses portable metal detection devices on visitors when there is reasonable suspicion that weapons may be concealed.

Recommendation 1:

The Sheriff's Department should install metal detectors to screen persons visiting inmates.

Response to Recommendation 1:

The Sheriff's Department will not implement this recommendation because it is duplicative.

The Sheriff's Department agrees that weapons within the jail facility pose a threat to the safety of staff and/or inmates. The Department has portable metal detection devices that have been, and will continue to be used on visitors given reasonable suspicion that weapons may be concealed upon their person. Inmates are separated by glass or other barriers at all times from the public during visitation. A fixed metal detection system used upon all visitors to the jail would be unreasonable due to the system and space requirements of such a system within the jail facility.

Finding 2:

The Main Jail is not configured to meet Title 15 of the California Code of Regulations for minors detained in Adult facilities.

Response to Finding 2:

The Sheriff's Department agrees with the finding.

Recommendation 2:

The Sheriff should educate all parties involved in sentence recommendations as to this limitation.

Response to Recommendation 2:

The Sheriff Department agrees with this recommendation.

The Sheriff's Department has had on-going discussions with the District Attorney, Public Defender, Probation Department, and Judges of the Superior Court concerning the issue of housing Proposition 21 juveniles within an adult facility. The Sheriff's Department Main Jail is not able to meet the standards of Title 15 of the California Code of Regulations for juveniles detained in adult facilities. These discussions with other agencies has promoted awareness of the limitations of the facility and the negative impact that housing a juvenile will have upon the individual. We will continue to promote communication among these departments to explore alternative sentencing options.

Women's Honor Farm

Finding 3:

There are inadequate exercise opportunities.

Response to Finding 3:

The Sheriff's Department disagrees with this finding.

Exercise opportunities provided to Female Honor Farm inmates are more than adequate, and currently exceed the California Board of Corrections minimum standards for inmate recreational needs.

Recommendation 3:

Provide adequate exercise opportunities.

Response to Recommendation 3:

The Sheriff's Department disagrees with the recommendation.

The California Board of Corrections sets the minimum standards for inmate recreational needs. Section 1065 of Title 15 states "The facility administrator of a Type II/III facility shall develop written policies and procedures for an exercise and recreation program, in an area designed for recreation, which will allow a minimum of three (3) hours of such activity distributed over a period of seven days." Neither Title 15 or Title 24 identifies equipment that is to be provided.

The Female Honor Farm Inmates are allowed seven day a week access to their exercise/recreation yard. A volleyball court is available for use. There is also area available for large muscle exercises such as push-ups, sit ups and calisthenics. Indoors aerobic exercise videos are available and can be utilized at the discretion of the Female Unit Officer. The Female inmates are provided with adequate exercise opportunities.

Finding 4:

The roof leaks.

Response to Finding 4:

The Sheriff's Department agrees with the finding.

Recommendation 4:

Fix the leaks and repair shower ceiling.

Response to Recommendation 4:

The Sheriff's Department agrees with the recommendation.

The roof to the Female Unit Latrine is in need of replacement. Although this is a General Services issue, the Sheriff's Department will be completing the necessary repairs to the roof. Currently we are completing the planning and design phase. We will begin with construction of a new roof and removal of the old roof within the next thirty days with construction to be completed by the end of May this year.

Finding 5:

Overcrowding in the jail continues to be an issue.

Response to Finding 5:

The Sheriff's Department agrees with the finding.

Recommendation 5:

The Board of Supervisors should continue to look for solutions to the overcrowding of the Main Jail.

Response to Recommendation 5:

The Sheriff Department agrees with this recommendation.

The Sheriff's Department will continue to identify potential sites in the North County for land acquisition for a north county jail. Additionally, the Sheriff's Department will continue to utilize alternative programs within Custody Operations to reduce the overall number of inmates incarcerated in the facility.

Male Honor Farm

Finding 6:

Instructions in the Laundry Facility are written in Spanish only.

Response to Finding 6:

The Sheriff's Department disagrees with the Finding.

The instructional placards utilized now, and at the time of the Grand Jury inspection are written in English and Spanish. The "Spanish" only written signs were duplicates of instructions that were written only in English on the laundry equipment itself. This equipment came from the manufacturer in this condition and the "Spanish" signs were written to assist the inmates workers.

Recommendation 6:

All instructional placards for the laundry equipment should be written in English and Spanish.

Response to Recommendation 6:

The Sheriff's Department agrees with the Recommendation.

All instructions in the Laundry Facility are written and displayed both in English and in Spanish. No additional instructional signs are needed to assist the English or Spanish speaking inmate worker in performing his job in a safe and efficient manner.

Isla Vista Foot Patrol

Finding 8:

Because of excessive alcohol consumption by students, the Sheriff's Department is transporting many of the students to the Main Jail for sobering up.

Response to Finding 8:

We partially disagree with this finding. We agree that the Isla Vista Foot Patrol transports to the Main Jail many individuals, including students, who are publicly intoxicated to the point where they can no longer care for their safety and the safety of others, and that there is no sobering center located in Isla Vista. We disagree with the finding that the individuals are transported to the jail for "sobering up". This is not the sole purpose for these transports and bookings. Individuals who are taken to the main jail for public intoxication have committed a crime (misdemeanor) for which they are booked into jail and for which the District Attorney usually charges them. Although the jail provides a safe and supervised location for intoxicated individuals to become sober, it also provides a valuable deterrent against future criminal conduct.

Recommendation 8:

The County should provide a sobering center in Isla Vista.

Response to Recommendation 8:

The recommendation will not be implemented because it is not reasonable at this time. This same recommendation was made by the 2000-2001 Grand Jury, and as a result, the Sheriff's Department studied the feasibility of a sobering center in Isla Vista. The following is a summary of this study.

Sobering centers are allowable in California under 647(g) of the California Penal Code. This section allows Peace Officers to place an individual who has violated 647(f) P.C. (Public Intoxication) in "civil protective custody" at a facility designated for the 72-hour treatment and evaluation of inebriates. No person who has been placed in civil protective custody shall thereafter be subject to any criminal prosecution or juvenile court proceeding for the public intoxication. The law does not allow the use of civil protective custody for anyone who is under the influence of any drug, anyone who has committed any felony or misdemeanor in addition to 647(f) P.C., or any person who a peace officer in good faith believes will attempt escape or will be unreasonably difficult for medical personnel to control. If an individual is detained and brought to a Sobering Center for Public Intoxication only, they cannot be charged with the crime.

The sobering centers are not secured facilities, and individuals who walk away from a sobering center must be re-apprehended and arrested. Sobering center employees normally do not have medical training beyond basic first aid and CPR, they are not armed, and they are not prepared, nor expected to physically restrain someone who becomes combative or out of control.

At the existing eight bed Sobering Center in the City of Santa Barbara, approximately one third of the clients are DUI offenders and two thirds are admitted to the Center for Public Intoxication. Approximately forty percent of the clients are between the ages of 18 and 25 (college-age). College-age individuals cause the greatest problems at the Center, including being verbally abusive and/or combative. In some instances friends of a client have arrived to "liberate" their drunken comrade from the Center. In these cases, the Center staff calls the Police but do not take any steps to stop the behavior.

The Santa Barbara Sobering Center costs \$150,000 per year to operate, although the Center pays an extraordinarily low rent of \$600.00 per month, which would be almost impossible to find today.

The Isla Vista community is quite different, both geographically and demographically, from Santa Barbara City. The nightclubs in Santa Barbara are located in the business district of the City, mostly along State Street in a fairly compact area. Sobering Center clients who walk away from the Center are usually easily located walking from the Center back toward State Street. Isla

Vista is mainly a residential community, consisting of extremely dense housing, and almost all of the alcohol-related problems and arrests occur at private parties. An individual who walks away from a Sobering Center in Isla Vista would be much harder to re-locate since they can quickly disappear into the dense crowds, open parties, apartment complexes and alleys.

The demographics of those arrested in Isla Vista for Public Intoxication and DUI also differ from Santa Barbara City. In Isla Vista, almost all of the individuals arrested are between 18 and 25 years old, and in Year 2000, 90% of the alcohol-related arrests were for Public Intoxication. Generally, individuals arrested for Public Intoxication are more severely intoxicated than those arrested for DUI.

In order to be useful, a sobering center in Isla Vista would need to hold significantly more beds at peak weekend nights, and at least two employees would be needed for safety reasons alone. There is a severe shortage of both housing and commercial space in Isla Vista and it is very doubtful that a low rent arrangement could be secured in this area. Unlike the Santa Barbara Police Department, the Sheriff's Department does not pay booking fees for our arrests, so adding a sobering center would not result in a cost savings of booking fees.

In addition to concerns regarding the costs associated with a sobering center in Isla Vista, we believe a sobering center would not be a reasonable alternative for Isla Vista for the following reasons. Foot Patrol has experienced incidents where individuals have attempted to forcibly remove their friends from the Deputies' custody, resulting in physical altercations and more arrests. This sort of behavior at a sobering center staffed by civilian employees could create a significant risk to the employees and a greater law enforcement problem than if the intoxicated individual had been taken to the County Jail.

The fact that sobering centers are non-secure facilities poses a second concern for the Isla Vista community, where we view intoxicated individuals not only as law violators but also as potential victims. Although being booked in jail for public intoxication is a significantly unpleasant experience, at least the arrestee's safety and care are assured. Tragedies occur every year in Isla Vista where intoxicated students fall off the cliffs, are assaulted, suffer alcohol-related poisoning or asphyxiation, or suffer other accidents. Placing an intoxicated individual in a non-secure environment where they can walk away or be taken away by friends exposes them a second time to these types of accidents and victimizations.

A third concern is that individuals placed in a sobering center for public intoxication cannot, by law, be charged with the offense. This posture is contrary to several other efforts we have made in Isla Vista to try to bring the serious alcohol abuse problem under control. We have worked closely with the District Attorney to encourage them to file criminal charges for public intoxication in order

to deter future violations. We have implemented zero-tolerance policies and increased enforcement efforts in order to make Isla Vista a safer place, since we know there is a direct and strong correlation between alcohol intoxication and violent crimes, including sexual assault. We have provided education, supported alcohol-free alternative events, and conducted outreach to promote a safer environment. But most importantly, we have stressed to the students that they must take responsibility for their own actions, including any legal consequences for their behavior. A sobering center in Isla Vista would remove both the consequence of criminal charges, as well as the deterrent effect of an evening in jail, and word of this leniency would quickly spread throughout the community.

Currently, on Friday and Saturday nights in the Fall, we mitigate the transportation problem in Isla Vista by utilizing Jail Transportation vans staffed by Corrections Officers, who field book and transport those arrested to County Jail. This system is very effective in keeping the Isla Vista Deputies and Officers in the field, and not busy transporting to jail. In 2001, we spent a total of \$33,137 for overtime for this transportation function during both the Fall Education and Orientation period and Halloween enforcement. Even with a sobering center in Isla Vista on these nights, transportation vans would still be needed since the number of arrests would likely exceed the capacity of any reasonably sized sobering center. Since we do not pay booking fees, the cost offset of a sobering center is greatly reduced. We already effectively mitigate the booking time issue by employing the jail transportation vans and crews during the busiest weekends. We believe the overall costs of a sobering center would far exceed the current costs for transportation.

Finding 9:

Isla Vista is prone to excessive student generated littering during the academic year.

Response to Finding 9:

We agree with this finding.

Recommendation 9(a):

The County and the University need more coordination to share in the responsibility and manpower to clean up the streets after holiday celebrations and at the end of the academic year.

Response to Recommendation 9(a):

The recommendation has been implemented prior to the Grand Jury report. The Isla Vista Recreation and Park District (IVR&P), in conjunction with UCSB, coordinate street litter pick-up using student volunteers year round. The County Roads Department, in coordination with IVR&P, contracts for road-sweeping

services in Isla Vista twice per week, an effort which is hampered by the large volume of cars parked on the streets. The County and UCSB also coordinate discarded furniture pick-ups and donations.

The Sheriff's Department SWAP Program (Sheriff's Work Alternative Program) assigns eligible individuals sentenced for non-violent crimes to community clean-up activities throughout the county as an alternative to time in County Jail. Isla Vista is one of 22 SWAP sites in the South County and Isla Vista Recreation and Park District employees supervise the SWAP workers in their litter clean-up duties.

The County, the University, and the Isla Vista Recreation and Park District enjoy excellent cooperation and collaboration and will continue to work together to find workable solutions to the litter problem in Isla Vista.

Recommendation 9(b):

The District Attorney should consider recommending that students booked for public intoxication/urination do community service in Isla Vista by cleaning up litter on the streets.

Response to Recommendation 9(b):

The Sheriff's Department does not coordinate the Community Service Program and cannot respond to this recommendation. It has been our experience, however, that students have been assigned to community service in Isla Vista for this purpose.

Aviation Bureau, Santa Ynez Airport

Finding 13

There is a need for a larger and better-equipped helicopter.

Response to Finding 13:

The Sheriff's Department agrees with this finding.

Recommendation 13:

Replace one helicopter with a larger, stretcher capable, and hoist compatible helicopter, capable of over-the-water flight.

Response to Recommendation 13:

The recommendation has not yet been implemented. The helicopter to meet these needs has been identified, and will cost approximately four million dollars. There is insufficient funding for this project at this time. A fund raising effort, known as Project: Rescue Flight (www.rescueflight.org), has been commissioned

to raise some or all of the needed funds. It is believed that the fund raising effort will take at least one year to meet the required goals.

Finding 14:

There are limited refueling stations for the helicopters operating in certain areas of the County.

Response to Finding 14:

The Sheriff's Department agrees with this finding.

Recommendation 14:

Provide refueling capability at the Cuyama Airport.

Response to Recommendation 14:

This recommendation will be implemented during the next fiscal year. Permission has been obtained from the Cuyama Airport to place a portable 300 gallon fuel tank at the airport. The Sheriff's Department will install a chain link fence around the tank to protect it from tampering.

Finding 15:

The helicopter hanger is located at the opposite end of the airport from the take off and landing pad.

Response to Recommendation 15:

The Sheriff's Department agrees with the finding.

Recommendation 15:

Investigate alternative locations at the Santa Ynez airport for faster deployment of helicopters.

Response to Recommendation 15:

This recommendation requires further analysis. There are currently no hangars at the East end of the airport from where helicopters are required to take off and land. The Santa Ynez Airport Authority has been studying the feasibility of building hangars at the East end of the airport for public safety aircraft and is currently in discussion with the County regarding this issue.

The feasibility of converting County owned land at the east end of the runway to hangar facilities will be considered during discussion and negotiations between the Santa Ynez Airport Authority and County. The Sheriff's Department supports the efforts to build these hangars, but until they are built there are no other locations available at the airport to house our fleet.